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FM AMEMBASSY JAKARTA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5830  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS IMMEDIATE  
RUEHBY/AMEMBASSY CANBERRA IMMEDIATE 1017  
RUEHKO/AMEMBASSY TOKYO PRIORITY 0675  
RUEHWL/AMEMBASSY WELLINGTON PRIORITY 1658  
RHHJJPI/USPACOM HONOLULU HI PRIORITY  
RHMCSSU/FBI WASHINGTON DC PRIORITY  
RUEKJCS/SECDEF WASHDC PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 002263

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DEPT FOR EAP, EAP/MTS, S/CT, INL FOR BOULDIN  
DOJ FOR CRIM AAG SWARTZ, DOJ/OPDAT FOR  
LEHMANN/ALEXANDRE/BERMAN  
DOJ/CTS FOR MULLANEY, ST HILAIRE  
FBI FOR ETTUI/SSA ROTH  
NCTC WASHDC

E.O. 12958: DECL: 08/19/2017

TAGS: PTER PGOV KJUS ASEC ID

SUBJECT: GOI ANNOUNCES REMISSES FOR PRISONERS, INCLUDING  
CONVICTED TERRORISTS

REF: A. JAKARTA 2121

B. 06 JAKARTA 10400

Classified By: POL/C Joseph Legend Novak, for reasons 1.4(b) and (d).

¶1. (C) SUMMARY: As in previous years, the GOI granted sentence reductions of up to six months to tens of thousands of inmates on Indonesian Independence Day, August 17. As many as six convicted terrorists (none of them major figures) may be released in coming days as a result. For the second straight year, the GOI elected not to implement a 2006 regulation which would delay eligibility for remissions to those convicted of certain types of crimes, including terrorism. END SUMMARY.

¶2. (U) THOUSANDS RECEIVE REMISSION: Minister of Law and Human Rights Andi Mattalatta granted sentence reductions of up to six months to most of the country's prisoners on Indonesian Independence Day, August 17. According to a Ministry statement, the more than 63,000 prisoners who received remissions represent almost 80% of the total prison population. Some 16,000 prisoners did not receive remissions, according to the statement, mainly because they were serving sentences of less than six months, while 337 inmates were denied remission for violating prison regulations.

¶3. (C) TERRORISTS EFFECTED: The Ministry also reported that over 6000 prisoners had become eligible for immediate early release as a result of receiving remissions. According to contacts at the Australian Embassy, six convicted terrorists affiliated with Islamic radical groups, including Jemaah Islamiyah, are among this group. The six--none of whom is a major figure--are:

-- Ahmad Sofyan  
-- Edi Suprapto  
-- Imal Hamid  
-- Sabturani (one name only)  
-- Md. Ferdiansyah  
-- Hadi Swandono

Sofyan and Suprapto were convicted for their role in the 2003 Marriot bombing, while Hamid was implicated in a bombing in

Makassar, South Sulawesi, in 2002. Sabturani is a Malaysian citizen involved in the 2002 Bali attack and, according to Australian Embassy contacts, is scheduled to be deported and handed back to Malaysian authorities upon his release. The last two were involved in a 2004 bombing in Cimanggis, West Java. Mission is in touch with the GOI to confirm whether any other convicted terrorists are effected by the August 17 remissions in terms of gaining possible release.

**¶4. (U) BACKGROUND:** A YEARLY RITUAL: The Minister of Law and Human Rights grants sentence reductions to thousands of Indonesian inmates each year on August 17, and again on Idul Fitri (for Muslims) and Christmas (for Christians). This action is mandated by Presidential Decree 69 of 1999, Law 12 of 1995 and other regulations. To be eligible for a remission, prisoners must be serving more than a six-month sentence, must not be sentenced to death or to life imprisonment and must have exhausted all appeals. Prison wardens submit for consideration the names of all convicts who have shown good behavior during their incarceration. Submission recommendations pass from the prison warden to the head of the prison system to the Minister of Law and Human Rights. Traditionally, the Minister grants the sentence reduction to all the names he receives.

**¶5. (C) BACKING AWAY FROM TOUGHER RULES:** In July 2006, the GOI--partly in response to international criticism of its policy on remissions and the release of terrorists--drafted Governmental Regulation 28, which would delay remission eligibility to those convicted of designated crimes such as terrorism, drug trafficking, corruption and gross human rights violations. The regulation stipulates that individuals convicted of any of these crimes are not eligible

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for remission until they have completed at least one-third of their original sentence. Implementation of the new regulation, however, has been delayed for the second straight year. Australian Embassy contacts told us that the GOI feared a political backlash from groups claiming that the anti-terror law unfairly targeted Muslims (ref A).

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